

RESOLUTION NO. 101-2022 (F), *First Reading*

By Mayor Seren

A Resolution approving a petition for the adoption of a public services and improvements plan for the Cedar Fairmount Special Improvement District, Inc.

WHEREAS, Ohio Revised Code Chapter 1710, “Special Improvement Districts,” provides for the voluntary creation of nonprofit corporations by groups of property owners to fund mutually beneficial improvements through self-assessment; and

WHEREAS, by Resolution No. 124-2003, this Council approved the petition for the formation of the Cedar Fairmount Special Improvement District, Inc. (“Cedar Fairmount SID”) and a public services and improvements plan proposed by that district and further, approved a subsequent amendment to the formation of that district by Resolution No. 7-2008; and

WHEREAS, by subsequent resolutions, this Council previously approved and levied assessments to fund the costs of said plan and subsequent public services and improvements plans for the Cedar Fairmount SID; and

WHEREAS, the most recently approved public services and improvements plan is due to expire this year; and

WHEREAS, the Board of Directors of the Cedar Fairmount SID have approved a proposed public services and improvements plan for the next three years, with an expanded territory; and

WHEREAS this Council returned said plan to the Board of Directors without comments or recommendations for changes by Resolution No. 100-2022; and

WHEREAS, said plan has been approved by the owners of property constituting over sixty percent (60%) of the front footage of the property included in the district and has been submitted to this Council for its approval; and

WHEREAS, approval of the public services and improvements plan would be in the best interest of the Cedar Fairmount SID and the residents of this community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

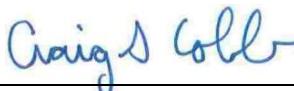
SECTION 1. This Council hereby approves the petition for adoption of the submitted public services and improvements Plan for the Cedar Fairmount Special Improvement District, Inc. (“Cedar Fairmount SID”), the originals of which petition are on file with the Clerk of Council, and a copy of which Plan is attached to this Resolution as Exhibit “A” and incorporated herein by reference.

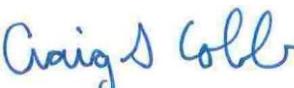
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SECTION 2. This Council hereby finds that the petition for the adoption of said Plan for the Cedar Fairmount SID was executed by the owners of over sixty percent (60%) of the front footage of all real property located in the district, as required by Ohio Revised Code Section 1710.06 and finds that the adoption of the submitted public services and improvements Plan will be in the best interest of the Cedar Fairmount SID and the residents of this community.

SECTION 3 Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest time allowed by law.

  
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CRAIG COBB  
Acting President of the Council

  
\_\_\_\_\_  
CRAIG COBB  
Clerk of Council, Pro Tem

PASSED: 7/7/22

Presented to the Mayor: 7/8/22

Approved: 7/8/22

  
\_\_\_\_\_  
KAHLIL SEREN  
Mayor

## **EXHIBIT A**

## **PLAN OF SERVICES TO BE PROVIDED BY CEDAR FAIRMOUNT SPECIAL IMPROVEMENT DISTRICT**

### **FORWARD:**

Chapter 1710 of the Ohio Revised Code, effective September 1994, provides that owners of sixty percent (60%) of the front footage of an area may petition to create a Special Improvement District (SID). The SID is a nonprofit corporation governed by trustees and elected by the property owners (one of whom is the City Mayor or his/her designee and one appointed by City Council) of an area/district, to provide specially-desired services such as marketing, beautification/maintenance, economic development, and physical improvements/planning services.

These services are set forth in the "Plan of Services" and are in addition to services normally provided by the City of Cleveland Heights, Ohio.

Property owners representing at least sixty percent (60%) of the front footage of the Cedar Fairmount Special Improvement District (which is herein defined and referred to as the "Cedar Fairmount SID") are petitioning the Council of the City of Cleveland Heights for approval of the Plan of Services for the Cedar Fairmount Special Improvement District.

The Plan of Services seeks as its overall goal to maintain and enhance the economic viability of the Cedar Fairmount District. To that end it provides for marketing, beautification/maintenance, economic development, and physical improvements/planning services.

### **THE SERVICES:**

The services to be provided by Cedar Fairmount SID as part of the plan are listed below as types of activities to be undertaken. It should be noted that these are presented as representative samplings. The intent is not to limit the services specifically to those described or bind services to this initial conceptual schedule.

This plan authorizes all activities as permitted under Ohio Revised Code 1710.06(A). The Cedar Fairmount SID will provide professional management thereby delivering services to the district. The managed services will be overseen by eleven (11) members of The Board of Directors of the SID. The Board will consist of nine (9) members elected by property owners, one member appointed by Cleveland Heights City Council and the City Mayor.

## **MARKETING OBJECTIVES**

Marketing efforts will target Cleveland Heights, University Heights, Shaker Heights and University Circle as well as other areas deemed to best reach the SID's target audience.

- Promote Cedar Fairmount SID as a destination offering retail, services, dining, nightlife, and art.
- Create and maintain a Cedar Fairmount SID website.
- Create and maintain a social media presence for Cedar Fairmount SID on any and all appropriate channels.
- Create an ongoing e-newsletter. ○ Produce promotional materials for specific events. ○ Present events highlighting the district and amenities.
- Maintain ongoing communication with Cedar Fairmount's merchants, restaurateurs and other tenants informing them of area-wide marketing and promotional opportunities.

## **BEAUTIFICATION AND MAINTENANCE**

- Coordinate with independent contractors on the delivery of designed maintenance programs.
- Supervise seasonal plantings, watering, and maintenance of the planters, hanging baskets and gardens.
- Coordinate with independent contractors on the removal of snow from district sidewalks.

## **ECONOMIC DEVELOPMENT**

- Maintain a database of current information pertaining to existing commercial and residential space.
- Inform and assist with parking for new and prospective commercial and residential tenants.
- Create and establish relationships with outside vendors to provide best practices and offer competitive pricing to existing tenants, both commercial and residential.
- Maintain ongoing communication with Cleveland Heights City Council to discover new opportunities for enhancement and expansion of the district.

## **PHYSICAL IMPROVEMENTS**

- Maintain ongoing communication and encourage collaboration between the Cedar Fairmount SID and Flaherty & Collins, developers of Top of the Hill and The Ascent.
- Encourage cohesive branding of the district through tenants and collaborations with Flaherty & Collins, University Circle and Case Western Reserve University.

## **COSTS**

The costs of the Plan of Services shall include those permitted pursuant to Ohio Revised Code, Section 1710.7. The annual proposed cost of the Plan of Services is budgeted at \$120,000 for the first year of its three-year operation and will include adjustments based on the Consumer Price Index for each pursuant year.

## **AREAS TO BE SERVED**

*Since we are currently evaluating the SID's expansion, the proposed areas extend as follows:*

- *Cedar Road from Nighttown 12485 Cedar Road*
- *Surrey from Cedar to Euclid Heights Boulevard*
- *Surrey to 2412 Euclid Heights Boulevard*
- *Lennox from Euclid Heights Boulevard to Cedar*
- *From 2378 to 2412 Euclid Heights Boulevard*
- *Chase Bank to Luna Bakery & Café (encompassing properties on Cedar and Fairmount)*

## **METHOD OF ASSESSMENT**

Implemented assessments for the Cedar Fairmount SID will be based on Market Value as determined by the Cuyahoga County Auditor's Office.

Assessments will be collected in semi-annual installments.

## **TERM OF PLAN for SERVICES**

The term of the Plan for Services will be three (3) years from January 2023 through December 2026. Services will be provided during this term.

The commencement date may be amended by the Board of Directors by up to six months later as necessary thereby offering flexibility in meeting all requirements as provided in

Chapter 1710 of the Ohio Revised Code and/or as necessary to provide for funding collection and cash flow for commencing operations.

The completion date will be adjusted accordingly so that the term of the Plan of Services is three (3) years from the commencement date.

#### **PERIOD OF ASSESSMENT**

The term of the assessment levied by the district shall be for three (3) years from January 2023 through December 2026.

#### **ANNUAL REPORT**

Annually on the first day of March, the Treasurer of the Board of Directors will submit to the City of Cleveland Heights Finance Director and/or City Mayor, a report of Cedar Fairmount Special Improvement District's activities and financial condition for the previous year. An annual report will be submitted to the City of Cleveland Heights and will be submitted to the Ohio Auditor of State Office for public view.